

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA  
Criminal Case No. CR 20-262 (ADM/ECW)

UNITED STATES OF AMERICA,        )  
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Plaintiff,                        )  
                                      )  
                                      )  
vs.                                )  
                                      )  
                                      )  
FOWZI ABDINASIR ELMY,            )  
                                      )  
                                      )  
Defendant.                        )

**MOTION TO SUPPRESS  
STATEMENTS**

Fowzi Abdnasir Elmi, through undersigned counsel hereby moves the Court for an Order suppressing his statements from interrogations of him by law enforcement agents including but not limited to on or about June 1, 2019 in Minneapolis; January 21, 2020 in Texas County, Oklahoma;<sup>1</sup> September 15, 2020 in Minneapolis; and any other custodial statement Mr. Elmi may have made which is currently unknown to the defense. The grounds for this motion are that Mr. Elmi did not validly or voluntarily waive his rights to remain silent and have counsel pursuant to Miranda v. Arizona, 384 U.S. 436 (1966) and related cases, and/or he was so under the influence of drugs or intoxicants that he could not voluntarily waive his constitutional rights. This motion is based on all files,

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<sup>1</sup> The government has not produced an audio recording of this interrogation, or transcript or detailed written summary. The defense requests immediate disclosure.

records, proceedings, and evidence to be taken at the hearing on this motion.

Dated: January 29, 2021

LAW OFFICE OF JORDAN S. KUSHNER

By s/Jordan S. Kushner

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